

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

347 TOWNHOUSE, LLC, on behalf
of itself and all others
similarly situated,

Plaintiff,

-against-

CITIBANK, N.A.,

Defendant.

19 Civ. 542 (LAP)

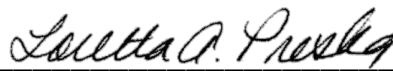
ORDER

LORETTA A. PRESKA, Senior United States District Judge:

Solely for administrative purposes, Defendant Citibank, N.A.'s motion to dismiss Plaintiff 347 Townhouse, LLC's amended complaint (dkt. no. 44) is terminated pending the resolution of defendant Bank of America's motion to certify an interlocutory appeal in Hymes v. Bank of America, N.A. (See dkt. no. 65 in No. 18 Civ. 2352 (RRM) (E.D.N.Y.).) Citibank's motion to dismiss shall be subject to reinstatement by letter upon denial of Bank of America's motion for interlocutory appeal in Hymes or, should that motion be granted, upon resolution of the preemption issue central to this case by the Court of Appeals.

SO ORDERED.

Dated: New York, New York
September 22, 2020



LORETTA A. PRESKA
Senior United States District Judge